

# Labaton Sucharow

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October 1, 2009

## VIA ELECTRONIC CASE FILING

Judge John Gleeson  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *In Re Air Cargo Shipping Services Antitrust Litigation*, 06-MD-1775 (JG) (VVP)

Dear Judge Gleeson:

By Memorandum and Order dated September 25, 2009, Your Honor granted final approval of the settlement between Class Plaintiffs and Defendants Deutsche Lufthansa AG, Lufthansa Cargo AG, and Swiss International Air Lines Ltd. (collectively, "Lufthansa"). Enclosed is a proposed Order and Judgment (the proposed "Judgment") agreed upon by Class Plaintiffs and Lufthansa that, among other things, identifies the entities that have excluded themselves from the Settlement Class and enters final judgment. The Settling Parties respectfully request that Your Honor enter this Judgment.

Exhibit A to the Judgment is a list of the entities that have opted-out of this settlement. We have removed duplicate entities that were listed in the *Declaration of Jennifer M. Keough on Requests for Exclusion*. Exhibit A also includes the entity CEL-EDIL SRL, which sought exclusion after the opt-out date. The Settling Parties jointly recommend that the Court accept its request for exclusion.

For Your Honor's convenience, Plaintiffs can provide a copy of the Judgment in either a Word or Word Perfect document, via e-mail, for easy modification by the Court. Please contact Morissa Falk at [mfalk@labaton.com](mailto:mfalk@labaton.com) or (212) 907-0833 if such an e-mail is desired.

Respectfully submitted,

/s/ Hollis L. Salzman

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